

CITY OF TIGARD, OREGON

RESOLUTION NO. 05- 18

A RESOLUTION ESTABLISHING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 31  
(SW O'MARA, EDGEWOOD STREETS)

WHEREAS, the City has initiated the Neighborhood Sewer Extension Program to extend public sewers and recover costs through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, these property owners have been notified of a public hearing in accordance with TMC 13.09.060 and a public hearing was conducted in accordance with TMC 13.09.050; and

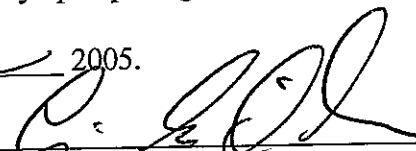
WHEREAS, the City Engineer has submitted a report describing the improvements, the area to be included in the Reimbursement District, the estimated costs, a method for spreading the cost among the parcels within the District, and a recommendation for an annual fee adjustment; and

WHEREAS, the City Council has determined that the formation of a Reimbursement District as recommended by the City Engineer is appropriate.

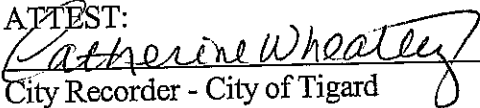
NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1      The City Engineer's report titled "Sanitary Sewer Reimbursement District No. 31", attached hereto as Exhibit A, is hereby approved.
- SECTION 2      A Reimbursement District is hereby established in accordance with TMC Chapter 13.09. The District shall be the area shown and described on Exhibit B. The District shall be known as "Sanitary Sewer Reimbursement District No. 31, SW O'Mara, Edgewood Streets."
- SECTION 3      Payment of the reimbursement fee as shown in Exhibit A is a precondition of receiving City permits applicable to development of each parcel within the Reimbursement District as provided for in TMC 13.09.110.
- SECTION 4      An annual fee adjustment, at a rate recommended by the Finance Director, shall be applied to the Reimbursement Fee.
- SECTION 5      The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address, in accordance with TMC 13.09.090.
- SECTION 6      This resolution is effective immediately upon passage.

PASSED:      This 8<sup>th</sup> day of March 2005.

  
\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

  
\_\_\_\_\_  
City Recorder - City of Tigard

**Exhibit A**  
City Engineer's Report  
**Sanitary Sewer Reimbursement District No. 31**  
**(SW O'Mara and Edgewood Streets)**

Background

This project will be constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard would install public sewers to each lot within the project area. At the time the property owner connects to the sewer, the owner would pay a connection fee, currently \$2,535, and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

Serving the forty-six lots in the following table will require the extension of a sewer from an interceptor sewer along Fanno Creek north of SW O'Mara Street. The sewer will provide service to the lots along SW O'Mara Street east of SW Chelsea Loop. The lots along SW O'Mara Street west of SW Chelsea Loop are currently served by sewers constructed through Reimbursement Districts Nos, 17, 23 and 28.

The proposed project would provide sewer service to a total of forty-six lots as shown on Exhibit Map B.

Cost

The estimated cost for the sanitary sewer construction to provide service to the forty-six lots is \$710,502. Engineering and inspection fees amount to \$95,918 (13.5%) as defined in TMC 13.09.040(1). The estimated total project cost is \$806,420. This is the total estimated amount that should be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,535 connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

### Reimbursement Rate

Except for the three R-12 lots between SW Chelsea Loop and SW O'Mara Street, all properties are zoned R-4.5 and vary in lot size from about thirteen thousand to about fifty eight thousand square feet, as can be seen in the following list of lots. The three R-12 lots are developed with single family houses in a character similar to the remaining lots within the proposed district. Therefore, it is recommended that the total cost of this project be divided among the forty-six properties proportional to the square footage of each property.

Other reimbursement methods include dividing the cost equally among the owners or by the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

**Each property owner's estimated fair share of the public sewer line is \$0.66467755 per square foot of the lot served. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution No. 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000. Upon request, payment of costs that exceed \$15,000 may be deferred until the lot is developed as provided by Resolution No. 03-55 (attached).**


### Annual Fee Adjustment

TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

### Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5). Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted February 22, 2005

  
**Agustin P. Duenas, P.E.**  
City Engineer

k:\eng\reg\reimbursement districts\31 o'mara edgewood\information\3-08-05 reim dist 31 report app a.doc

## O'MARA ST &amp; EDGEWOOD ST

## Reimbursement District No. 31

Estimated Cost to Property Owners

November 17, 2004

	OWNER	SITE ADDRESS	TAX LOT ID	AREA (S.F.)	AREA (AC)	ESTIMATED	PAID BY	PAID BY
						COST TO PROPERTY OWNER		
1	ABBOTT TERRY A & LAURIE J	8995 SW EDGEWOOD ST	2S102DC00503	24689.30088	0.567	\$16,410	\$7,410	\$9,000
2	BAILEY LAWRENCE E II & ROSELLA K	9355 SW EDGEWOOD ST	2S102DC00101	20056.49867	0.460	\$13,331	\$6,000	\$7,331
3	BLICK CARL J & DONA JEAN	8740 SW O'MARA ST	2S102DD01500	20175.60963	0.463	\$13,410	\$6,000	\$7,410
4	BOTHWELL ANNE M	9265 SW EDGEWOOD ST	2S102DC00400	15637.36644	0.359	\$10,394	\$6,000	\$4,394
5	CLARK PAUL E & BETTY J	9160 SW EDGEWOOD ST	2S102DC01603	33997.19912	0.780	\$22,597	\$13,597	\$9,000
6	CROSSWHITE DAVID E & JANICE A	8855 SW EDGEWOOD ST	2S102DC00900	50911.32084	1.169	\$33,840	\$24,840	\$9,000
7	DEMMIN DWAYNE W & ANGELA L	8930 SW O'MARA ST	2S102DC00600	13625.66136	0.313	\$9,057	\$6,000	\$3,057
8	DUFFIELD EDWARD & SUSAN D	8895 SW EDGEWOOD ST	2S102DC01200	16186.11959	0.372	\$10,759	\$6,000	\$4,759
9	GEDNEY FRAYNIE M TRUSTEE	9270 SW EDGEWOOD ST	2S102DC01800	50411.28438	1.157	\$33,507	\$24,507	\$9,000
	WITCOSKY, TAMMY for Gedney	mail: 9400 SW Panorama Place	Portland, OR 97225					
10	GEOFFROY DOUGLAS B	9325 SW EDGEWOOD ST	2S102DC00200	24743.33031	0.568	\$16,446	\$7,446	\$9,000
11	GETSINGER EVELYN M FAMILY TRUST	9400 SW EDGEWOOD ST	2S102DC02001	35250.63218	0.809	\$23,430	\$14,430	\$9,000
12	GILCHRIST EARL & J NONA	9100 SW EDGEWOOD ST	2S102DC01601	56928.39634	1.307	\$37,839	\$28,839	\$9,000
13	GOETZ HOWARD V & NANCY K	8935 SW EDGEWOOD ST	2S102DC01100	18293.89408	0.420	\$12,160	\$6,000	\$6,160
14	GUERRANT ORVILLE D	9510 SW EDGEWOOD ST	2S102CD02200	46701.73554	1.072	\$31,042	\$22,042	\$9,000
15	HARRIS RICK G	8930 SW EDGEWOOD ST	2S102DC01305	16305.66235	0.374	\$10,838	\$6,000	\$4,838
16	HAWKINS JEFFERY S	8900 SW O'MARA ST	2S102DC00700	13645.65324	0.313	\$9,070	\$6,000	\$3,070
17	HOLLAND RONALD P & MARY L	8850 SW EDGEWOOD ST	2S102DD01603	20109.18295	0.462	\$13,366	\$6,000	\$7,366
18	HOLSTEIN MARVIN R & LORETTA R TRS	8710 SW O'MARA ST	2S102DD01400	23691.77358	0.544	\$15,747	\$6,747	\$9,000
19	HURLBUTT WILLIAM M & CHRISTINE	8990 SW EDGEWOOD ST	2S102DC01400	57718.68462	1.325	\$38,364	\$29,364	\$9,000
20	JENSEN DAVID L AND LOIS C	8840 SW EDGEWOOD ST	2S102DD01601	21395.25091	0.491	\$14,221	\$6,000	\$8,221
21	JOHNSON CLARENCE DEAN	9440 SW EDGEWOOD ST	2S102CD02300	54799.29846	1.258	\$36,424	\$27,424	\$9,000
22	KANDZIORA GABRIELA	9360 SW EDGEWOOD ST	2S102DC02000	43470.80722	0.998	\$28,894	\$19,894	\$9,000
23	KING SCOTT G & ELIZABETH A	9235 SW EDGEWOOD ST	2S102DC00403	26879.06574	0.617	\$17,866	\$8,866	\$9,000
24	KRAEMER JULIA A & MARK W	13545 SW HALL BLVD	2S102DD01300	31045.22428	0.713	\$20,635	\$11,635	\$9,000
25	LALLY DONALD P & BRENDA J	8870 SW O'MARA ST	2S102DC00800	13625.64321	0.313	\$9,057	\$6,000	\$3,057
26	LARSEN PAUL ANDREW	9115 SW EDGEWOOD ST	2S102DC00510	23540.26543	0.540	\$15,647	\$6,647	\$9,000
27	LARVIK KENNETH E	9155 SW EDGEWOOD ST	2S102DC00507	23472.75149	0.539	\$15,602	\$6,602	\$9,000
28	LASNIEWSKI WILLIAM L	8860 SW EDGEWOOD ST	2S102DD01604	20954.86421	0.481	\$13,928	\$6,000	\$7,928
29	MADSEN JUDITH L	9515 SW EDGEWOOD ST	2S102CD01100	14909.53089	0.342	\$9,910	\$6,000	\$3,910
30	MCANDREW JOHN W & ANGELA D	8830 SW O'MARA ST	2S102DD01501	28545.5965	0.655	\$18,974	\$9,974	\$9,000
31	MITCHELL CARL R	9435 SW EDGEWOOD ST	2S102CD04600	20544.81671	0.472	\$13,656	\$6,000	\$7,656
32	MUTSCHLER DAVID K	9465 SW EDGEWOOD ST	2S102CD01000	12594.65596	0.289	\$8,371	\$6,000	\$2,371
33	OTT GARETH & S ANNE	9055 SW EDGEWOOD ST	2S102DC00509	23669.8938	0.543	\$15,733	\$6,733	\$9,000
34	OTTING LOIS E	8885 SW O'MARA ST	2S102DB00603	15001.32759	0.344	\$9,971	\$6,000	\$3,971
35	PALMER MARCIA R	9070 SW EDGEWOOD ST	2S102DC01501	22918.17354	0.526	\$15,233	\$6,233	\$9,000
36	RUSSELL NORMAN L	8857 SW EDGEWOOD ST	2S102DC01000	33464.58903	0.768	\$22,243	\$13,243	\$9,000
37	SABBE REMI & APRIL	9175 SW EDGEWOOD ST	2S102DC00505	23454.92307	0.538	\$15,590	\$6,590	\$9,000
38	SIMMONS CRAIG & JOELLE	9300 SW EDGEWOOD ST	2S102DC01900	41056.57049	0.943	\$27,289	\$18,289	\$9,000
39	STEINBICHLER GEORGE	8855 SW O'MARA ST	2S102DB00601	14876.85707	0.342	\$9,888	\$6,000	\$3,888
40	SULLIVAN RICHARD A & SUZANNE P	9085 SW EDGEWOOD ST	2S102DC00501	23606.74177	0.542	\$15,691	\$6,691	\$9,000
41	TENY GEORGE & JENNA	9200 SW EDGEWOOD ST	2S102DC01700	31528.01019	0.724	\$20,956	\$11,956	\$9,000
42	TOKUDA KAZUHIRO	8870 SW EDGEWOOD ST	2S102DD01602	18280.24651	0.420	\$12,150	\$6,000	\$6,150
43	UNDERHILL MARK R	8960 SW EDGEWOOD ST	2S102DC01401	15021.67692	0.345	\$9,985	\$6,000	\$3,985
44	WACHSMUTH LOUIS J	9285 SW EDGEWOOD ST	2S102DC00404	15442.88997	0.355	\$10,265	\$6,000	\$4,265
45	WILSON JOHN G & JODY K	8965 SW EDGEWOOD ST	2S102DC00504	24761.79526	0.568	\$16,459	\$7,459	\$9,000
46	ZINDA TODD	8915 SW O'MARA ST	2S102DB00602	15309.16854	0.351	\$10,176	\$6,000	\$4,176
Totals				1213250	27.85	\$806,420	\$473,458	\$332,962
PROJECT TOTAL (Cost to Owners + Cost to City)								\$806,420

# O'MARA ST & EDGEWOOD ST

## Reimbursement District No. 31

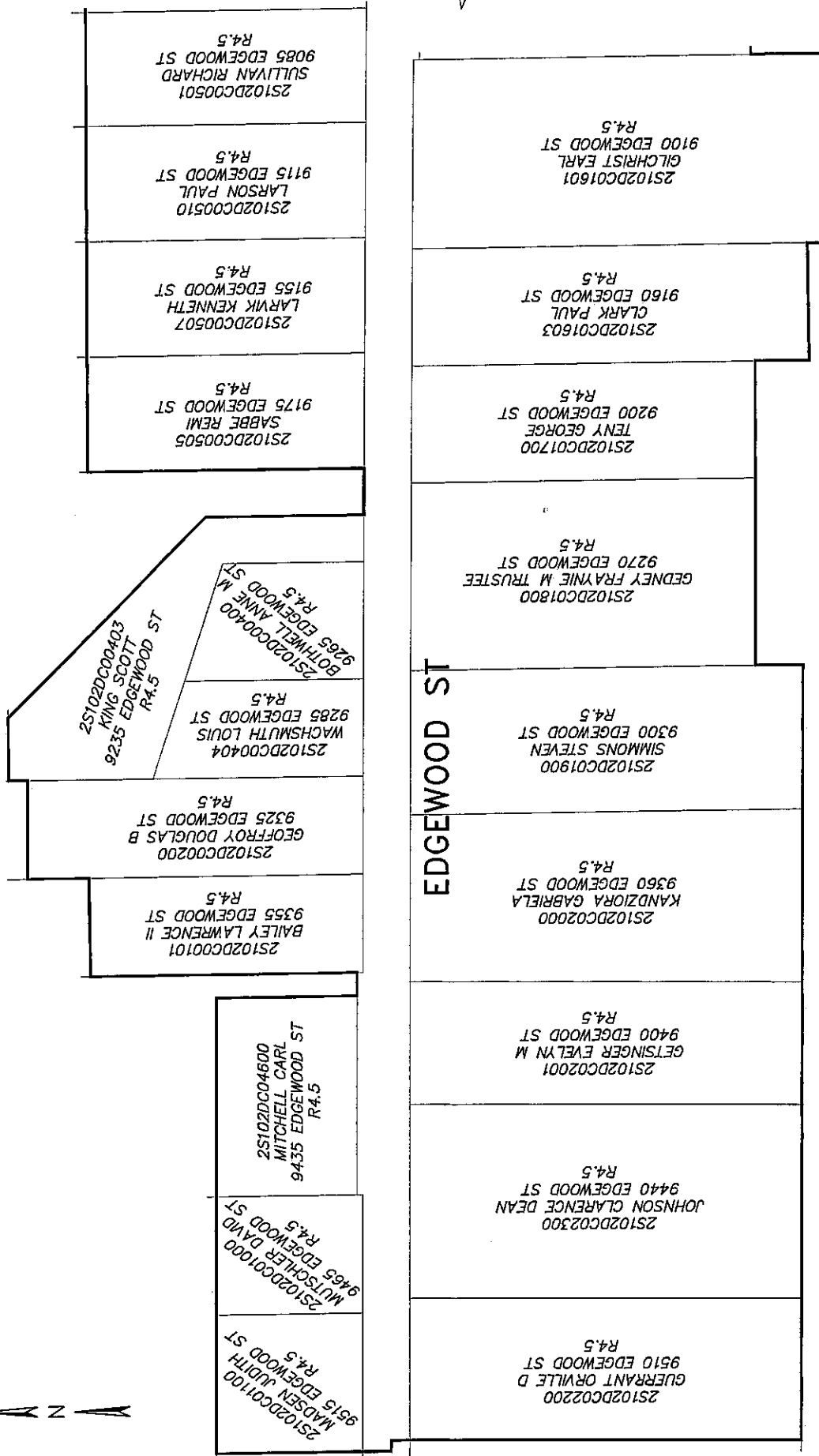
*Estimated Cost to Property Owners*

*Summary*

*November 17, 2004*

<b>Estimated Construction Cost</b>	<b>\$617,828</b>
15% contingency (construction)	\$92,674
<b>Estimated construction subtotal</b>	<b>\$710,502</b>
13.5% contingency (Admin & Eng)	\$95,918
<b>total project costs</b>	<b>\$806,420</b>
total area to be served (S.F.)	1,213,250
<b>total cost per S.F. to property owner</b>	<b>\$0.66467755</b>

O'MARA, MCDONALD  
 SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #31  
 A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



SEE EXHIBIT B (P2)

**NOTE:**

All properties in the reimbursement district are zoned R4.5 & R12

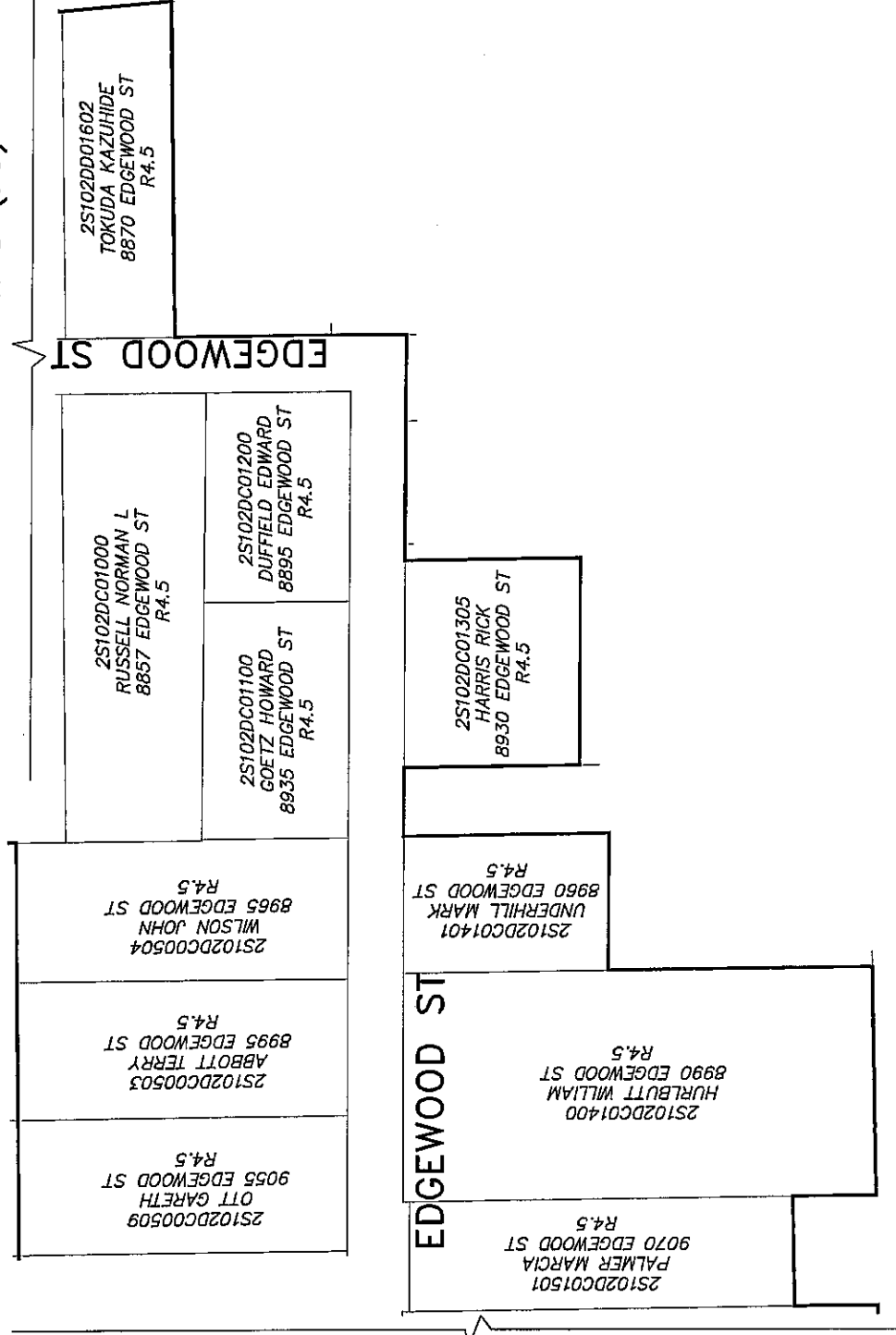
EXHIBIT B (p1)

NTS

O'MARA, MCDONALD  
 SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #31  
 A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



SEE EXHIBIT B (P3)



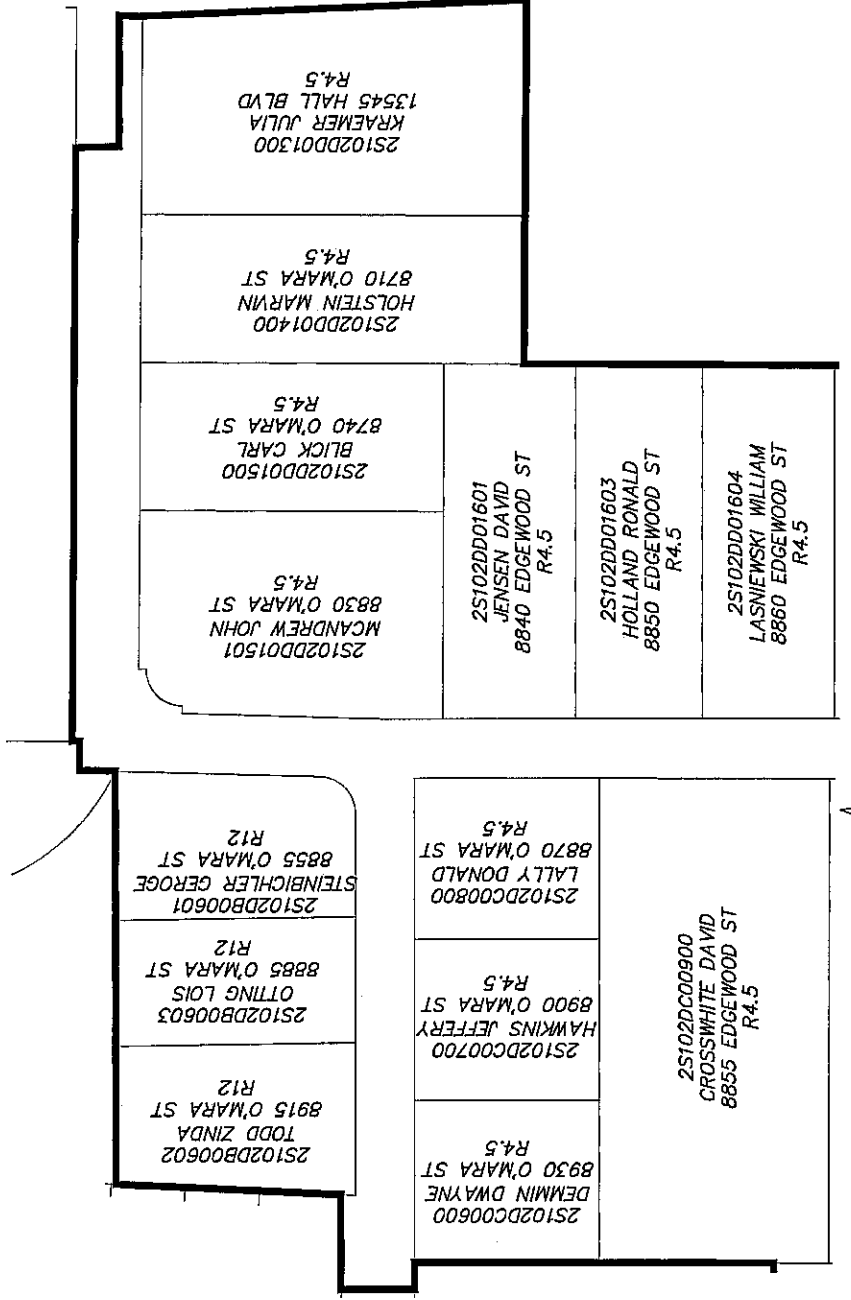
SEE EXHIBIT B (P1)

**NOTE:**

All properties in the reimbursement district are zoned R4.5 & R12

EXHIBIT B (p2)  
 NTS

O'MARA, MCDONALD  
 SANITARY SEWER IMPROVEMENTS REIMBURSEMENT DISTRICT #31  
 A PORTION OF THE SW 1/4 OF SECTION 2 T2S R1W W.M.



SEE EXHIBIT B (P2)

**NOTE:**  
 All properties in the reimbursement district are zoned R4.5 & R12

EXHIBIT B (p3)  
 NTS